THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.26159 OF 2006

Date: 18-12-2006

Between:

1. V.Krishna Mohan Rao, s/o V. Krishna Rao, Aged 50 years, Occpation: Business, r/o4-42, Street No.8/2, Habsiguda, Hyderabad-7 and another.

... Petitioners.

And

1. Municipal Corporation of Hyderabad, Tank Bund, Hyderabad, rep. By its Commissioner and another.

... Respondents.

* * *

ORDER:

The matter is coming up for admission. Smt. G.Jyothi Kiran, takes notice on behalf of respondents.

2. The writ petition is filed for a writ of Mandamus declaring action of the respondents in insisting to produce 'No Objection Certificate' for sanction of plan for construction of a residential house for the property bearing H.No. 8-2-293/82/C/3 on Plot No.3, Shaikpet village, Hyderabad District, admeasuring 1,127 square yards, as without jurisdiction and contrary to the Article 14 of the Constitution of India and to direct the respondents to receive application for sanction of plan for

construction of house and consider the same without insisting for 'No Objection Certificate' from the District Collector, and pass such other suitable orders.

3. Several factual details are narrated. It is needless to say that repeatedly this Court held that 'No Objection Certificate' from revenue authorities cannot be insisted upon.

4. In view of the same, the respondents are hereby directed to consider and dispose of the application of the writ petitioner relating to the subject matter of the writ petition without insisting production of any 'No Objection Certificate' from the revenue authorities at the earliest point of time, preferably within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly allowed. No order as to costs.

P.S.NARAYANA, J.

Date: 18th December 2006.
BSB